

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

JENNIFER VIRDEN,  
Plaintiff,

v.

CITY OF AUSTIN, TEXAS,  
Defendant.

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Civil Case No. 1:21-cv-00271-RP

**FIRST SUPPLEMENTAL VERIFICATION OF JENNIFER VIRDEN**

I, Jennifer Virden, declare as follows:

1. I am the plaintiff in the present case. I am submitting this declaration to supplement the statements I have already verified in my complaint.

2. I have publicly declared that I will run for City office on the 2022 ballot, in my verified complaint and also in a press release that we prepared to announce this lawsuit. I distributed the press release through my Facebook campaign page on March 25, 2021, and through my campaign email list through Constant Contact, on March 26, 2021. In that release, I stated that I “will be on the ballot in the city’s next general election in November 2022.”

3. I have stated in the complaint that I want to raise funds to pay for advertisements in which I would state my positions on issues in a timely manner, not merely as someone offering an opinion but speaking as a candidate. What I mean by that is that in addition to providing my positions/ideas regarding current issues in Austin, I will also state that I am running for office and ask for listeners/readers to vote for me in November 2022 to champion policies for a better Austin.

4. In addition to paying for advertisements, I would like to assume other costs of organizing political efforts to advocate for better policies in Austin and lead the effort against some of the ill-considered/imprudent policies established or proposed by current city officials. This may include planning and hosting events as well as other creative means of building an organized political movement in Austin, and maintaining interest over time.

5. In addition to the kinds of expenses described above, I will retain some portion of funds raised in my campaign account and continue to build it up for use closer to election day in November 2022. Building a campaign account as large as possible is important because I will need significant funds to run for office, especially mayor, when there are so many issues to deal with and discuss. The more I can raise, and the earlier I can raise it, will reflect the amount of support I have and will better enable me to run the strongest campaign possible. The amount raised for a campaign is also important as a statement in and of itself of the strength of a candidacy.

6. When I can fundraise, in my solicitations for contributions, I will generally use the opportunity to describe my position on current issues in Austin and ask like-minded persons to support my campaign monetarily, noting that the funds will go both toward immediate and timely messaging on issues and to build my campaign account for the 2022 elections.

7. Regarding immediate planned advertisements, I have strong positions on several of the measures on the May 1 ballot in Austin. For example, I support Proposition B because I support restoring commonsense public “camping” and panhandling laws. I oppose the “Strong Mayor” Proposition F, which would replace our city manager-council form of government and give the Mayor “veto” power over City

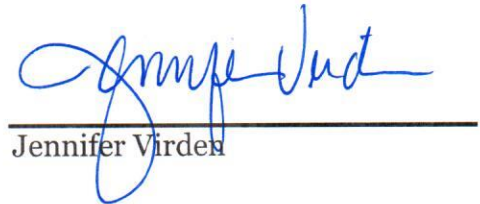
Council actions and unilateral power to hire and fire department heads. Early voting begins April 19, and I would like to raise as much money as possible before then to produce and distribute ads by radio and direct mail (as well as other means, like social media, which also require funds). As described above, my ads will generally state my position on these issues with the intent of affecting the vote, but also requesting voters' support at the ballot in 2022. I believe this can be an effective means not only of affecting the outcome on May 1, but also building a strong political movement around my candidacy.

8. The more funds I raise, the more I will have to spend. I have to start raising money and see how much I have, and by when, in order to decide how specifically to spend it.

9. I still maintain my campaign treasurer appointment on file with the City of Austin, as required by the Texas Election Code, and maintain my campaign bank account, into which I can deposit any contributions as soon as they are received.

10. Pursuant to 28 U.S.C. § 1746, I verify under penalty of perjury that the foregoing is true and correct.

11. If called upon to testify I would testify competently as to matters stated herein and in the foregoing Verified Complaint. Executed on April 1, 2021, in Travis County, Texas.



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Jennifer Virden